

REMARKS/ARGUMENTS

1. The Examiner rejected claims 1-3, 13-15, 20, and 22 under 35 U.S.C. § 102(b) as being anticipated by Power Jr. et al. (U.S. Patent No. 6,385,941). Claim 4 was objected to as being dependent upon rejected base claim, but the Examiner indicated that such claim would be allowable if rewritten in independent form to include all the limitations of its respective base claim and any intervening claims. Claims 5-8, 12, 16, 17, 19, 21, 23, and 24 were indicated as being allowable by the Examiner. Reconsideration of the instant application is respectfully requested in view of the amendments and/or remarks provided herein.

Rejections under 35 U.S.C. § 102(b)

2. Claims 1-3, 13-15, 20, and 22 were rejected under 35 U.S.C. § 102(b) as being anticipated by Power Jr. et al. ("Power"). Applicants disagree with the Examiner's characterization of the recitations of claims 1-3, 13-15, 20, and 22 in view of the disclosure of Power. Nevertheless, to move prosecution forward, Applicants have herein amended independent claims 1 and 13 to more clearly distinguish said claims over the disclosure and suggestions of Power. In particular, Applicants have modified claim 1 to recite at least one elongated projection connected to a central portion of an interior surface of at least one of the walls of the load bearing element, wherein the reinforcing insert connects to such centrally-positioned projection. Claim 13 has been similarly modified to recite at least one projecting rail integrally connected to a central region of an inside surface of at least one of the beam walls, wherein the reinforcing insert includes at least one channel that mates in inter-fitting engagement with the centrally-positioned rail. Applicants submit that Power does not disclose or suggest either such combination. Support for Applicants' amendments to claims 1 and 13 can be found in Figs. 2a-2c, 3, 4, and 5 of Applicants' originally filed specification; thus, no new matter has been added by these amendments.

Power discloses a simple lap beam in which an internal strap is used to reinforce a rectangular beam. The inside surfaces of the short beam walls each include a prong (132, 172). The strap (140) includes a recess that mates with the applicable prong when the strap is inter-fitted with the prong. However, as is clear from the drawings and description of Power, each

prong is located near the end of its respective beam wall. By contrast, the projection(s) and rail(s) recited in claims 1 and 13 are centrally located along a beam/load bearing element wall, thereby providing better reinforcing support than is provided by the straps disclosed in Power.

Therefore, for the foregoing reasons, Applicants submit that the recitations of claims 1 and 13, as amended, are not disclosed or suggested by Power and respectfully request that claims 1 and 13 may now be passed to allowance.

Claims 2, 3, and 20 depend upon claim 1, which claim has been shown allowable above. Therefore, since claims 2, 3, and 20 each introduce additional subject matter that, when considered in the context of the recitations of claim 1, constitutes patentable subject matter, Applicants respectfully submit that claims 2, 3, and 20 are in proper condition for allowance. Similarly, claims 14, 15, and 22 depend upon claim 13, which claim has also been shown allowable above. Therefore, since claims 14, 15, and 22 each introduce additional subject matter that, when considered in the context of the recitations of claim 13, constitutes patentable subject matter, Applicants respectfully submit that claims 14, 15, and 22 are in proper condition for allowance.

Allowable Subject Matter

4. Claims 4 was objected to as being dependent upon rejected base claim, but the Examiner indicated that such claim would be allowable if rewritten in independent form to include all the limitations of its respective base claim and any intervening claims. Claim 4 depends upon claim 1, which claim has been shown allowable above. Therefore, since claim 4 introduces additional subject matter that, when considered in the context of the recitations of claim 1, constitutes patentable subject matter, Applicants respectfully submit that claim 4 is in proper condition for allowance.

5. Claims 5-8, 12, 16, 17, 19, 21, 23, and 24 were indicated as being allowable by the Examiner. Applicants would like to thank the Examiner for indicating the allowability of the foregoing claims. However, given that claim 23 depends upon claim 13 and claim 13 was rejected by the Examiner under 35 U.S.C. § 102(b), Applicants interpret the Examiner's allowance of claim 23 as an objection to claim 23 analogous to the Examiner's objection to claim

4. Responsive thereto, Applicants have rewritten claim 23 in independent form incorporating the limitations of claim 13 as previously presented. Based on the Examiner's indication of allowability, Applicants submit that claim 23 is allowable over the cited references of record and request that claim 23 be passed to allowance.

6. The Examiner is invited to contact the undersigned by telephone, facsimile, or email if the Examiner believes that such a communication would advance the prosecution of the instant application. Although no additional fees are believed to be necessary at this time, please charge any necessary fees associated herewith, including extension of time fees (if applicable and not paid by separate check), to the undersigned's Deposit Account No. 50-1111.

Respectfully submitted,

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I HEREBY CERTIFY that the following correspondence:
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Chrislide Mendez, Legal Assistant

Date: _____

6/3/04